

## Message Text

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ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 SP-02 USIA-06 AID-05 EB-08  
NSC-05 TRSE-00 SS-15 STR-04 OMB-01 CEA-01 COME-00  
JUSE-00 CIAE-00 INR-07 NSAE-00 H-01 FTC-01 /070 R

DRAFTED BY L/NEA:WSRHODES:MJR

APPROVED BY L/NEA:DHSMALL

DOJ - MR. RISTAU

L - MR. FELDMAN

NEA/IRN - MR. BEALES

-----190515Z 129734 /13

R 182132Z APR 77

FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN

C O N F I D E N T I A L STATE 086827

E.O. 11652: GDS

TAGS: PFOR, IR

SUBJECT: GOI REQUEST RE BILATERAL AGREEMENT ON BRIBERY

REF: (A) TEHRAN 3009; (B) STATE 33288; (C) STATE 33554

1. U.S. DEPT OF JUSTICE (DOJ) AGREES TO PROCEED EXPEDITIOUSLY WITH NEGOTIATION AND CONCLUSION OF MUTUAL ASSISTANCE AGREEMENT WITH COUNTERPART LAW ENFORCEMENT AGENCY OF IRAN. TEXT WILL BE TREATED AS AN AGREEMENT TO BE SIGNED BY THE PARTIES.

2. DOJ PRESENTLY HAS AUTHORITY TO CONCLUDE AGREEMENTS RELATING TO INVESTIGATIONS IN WHICH IT IS INVOLVED, AND ALL BILATERAL AGREEMENTS CONCLUDED TO DATE HAVE BEEN WITH REFERENCE TO SPECIFIC COMPANIES.

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3. HOWEVER, DOJ HAS IN PAST WORKED OUT PROCEDURES FOR EXTENDING SUCH BILATERAL JUDICIAL ASSISTANCE AGREEMENTS TO INVESTIGATIONS BEYOND THAT SPECIFICALLY REFERENCED. THIS CAN BE DONE THROUGH AN EXCHANGE OF LETTERS OR AN AGREED MINUTE TO ORIGINAL AGREEMENT. DOJ BELIEVES THAT SUCH A PROCEDURE COULD ALSO BE WORKED OUT WITH GOI REPRESENTATIVES IF THE NEED ARISES. REFERENCE TO THIS POSSIBILITY IN TEXT

OF AGREEMENT COULD PROVIDE A KIND OF GENERAL AGREEMENT WHICH HOPEFULLY WOULD MEET GOI INTEREST IN THIS REGARD.

4. DOJ REQUIRES A MEETING IN WASHINGTON WITH A KNOWLEDGE-ABLE AND AUTHORITATIVE REPRESENTATIVE OF ITS COUNTERPART AGENCY IN IRAN BEFORE SIGNING AN AGREEMENT. DOJ ALSO STRONGLY PREFERS TO NEGOTIATE WITH SOMEONE WHO IS FLUENT IN ENGLISH, IF POSSIBLE. A THREE-DAY PERIOD SHOULD BE ALLOWED FOR THE MEETING. PURPOSE IS TO PROVIDE BOTH PARTIES WITH THOROUGH UNDERSTANDING OF HOW THE JUDICIAL SYSTEM AND INVESTIGATIVE PROCESS OF THE OTHER COUNTRY OPERATES, WHERE INFORMATION EXCHANGED WILL GO AFTER IT CHANGES HANDS, HOW CONFIDENTIALITY WILL BE MAINTAINED, ETC. SAFEGUARDS AND OTHER DETAILS SUCH AS THAT RAISED BY MFA LEGAL CHIEF KAZEMI (RE PHYSICAL MEANS OF EXCHANGE OF INFORMATION) WILL BE WORKED OUT DURING MEETING IN WASHINGTON (F.Y.I.: IN PAST DIPLOMATIC CHANNELS HAVE BEEN THE GENERALLY PREFERRED METHOD FOR EXCHANGE OF INFORMATION.) AGREEMENT COULD BE SIGNED AT THE END OF THESE MEETINGS IF NO SPECIAL PROBLEMS ARISE.

5. DOJ NEEDS 10-DAY ADVANCE NOTICE OF ARRIVAL IN WASHINGTON OF REPRESENTATIVE(S) OF COUNTERPART AGENCY. WHILE NOT "RANK-CONSCIOUS", DOJ REQUESTS THAT REPRESENTATIVE BE VERY FAMILIAR WITH DETAILS OF HOW THE INVESTIGATION WILL BE CARRIED OUT IN IRAN, HOW INFORMATION COMING FROM DOJ WILL BE HANDLED (E.G., TO WHAT AUTHORITIES WITH WHAT POWERS IT WILL BE PROVIDED) ETC. PRINCIPAL DOJ NEGOTIATOR WILL PROBABLY BE JOHN KEENEY, DEPUTY ASSISTANT ATTORNEY GENERAL. CONFIDENTIAL

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6. EMBASSY SHOULD TRANSMIT THIS INFORMATION TO KAZEMI AND DETERMINE WHETHER PROCESS OUTLINED ABOVE IS SATISFACTORY. IF KAZEMI WISHES TO PROCEED ON THIS BASIS, PLEASE PROVIDE INFORMATION ON IRANIAN NEGOTIATORS AND THEIR TRAVEL PLANS, AND INCLUDE DOJ AS ADDRESSEE. VANCE

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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
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